

PROB 12C  
(7/93)Report Date: March 20, 2012  
FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

## United States District Court

for the

MAR 21 2012

Eastern District of Washington

JAMES R. LARSEN, CLERK  
DEPUTY  
SPOKANE, WASHINGTON

## Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Thomas R. Samples

Case Number: 2:07CR00037-001 -RHW

Address of Offender: [REDACTED] Spokane, WA 99217

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, Senior U.S. District Judge

Date of Original Sentence: 08/06/2007

Original Offense: Felon in Possession of Ammunition, 18 U.S.C. § 922(g)(1) and 924 (a)(2)

Original Sentence: Prison - 41 Months; TSR - 36 Months Type of Supervision: Supervised Release

Asst. U.S. Attorney: George Jacobs

Date Supervision Commenced: 11/22/2010

Defense Attorney: Amy Rubin

Date Supervision Expires: 11/21/2013

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 PETITIONING THE COURT

## To issue a warrant.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1

**Mandatory Condition # 2:** The defendant shall not commit another Federal, state, or local crime.**Supporting Evidence:** On March 19, 2012, the undersigned officer received a voice mail from Mr. Samples reporting he had been in an accident over the weekend and that he was going to the hospital due to injuries sustained to his hand. On March 20, 2012, a criminal records report was generated and reflected that Mr. Samples was cited for hit a run unattended (N033480), as well as an infraction for no valid operator's license and second degree defective equipment (W015986).

According to the Spokane Police Department incident report, On March 16, 2012, Mr. Samples drove his motorcycle through a red light and crashed into the back driver's quarter panel of a Jeep. Mr. Samples was thrown from his motorcycle; however, he got back on the motorcycle and ran into the Jeep a second time. Mr. Samples provided his name and phone number to the driver of the Jeep, and then got back on his motorcycle and drove away.

The police were able to contact Mr. Samples at the phone number he provided to the victim. After a short conversation, Mr. Samples hung up on the reporting officer.

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On March 17, 2011, the reporting officer was able to contact Mr. Samples again via the phone number provided. Mr. Samples agreed to meet with the officer under the condition he would not be booked into jail. The reporting officer met with Mr. Samples and issued him the above-noted citation/infractions.

- 2        **Mandatory Condition # 4:** The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

**Special Condition # 16:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** On February 13, 2012, Mr. Samples reported to the U.S. Probation Office at the direction of the undersigned officer. A urine specimen was collected from Mr. Samples during this visit, which tested presumptive positive for amphetamine and methamphetamine. On February 24, 2012, the above sample was confirmed positive.

On March 8, 2012, Mr. Samples again reported to the U.S. Probation Office at the direction of the undersigned officer. A urine specimen was collected from Mr. Samples during this visit, which tested presumptive positive for cocaine and methamphetamine. On March 16, 2012, the above sample was confirmed positive.

- 3        **Standard Condition # 6:** The defendant shall notify the probation officer at least 10 days prior to any change in residence or employment.

**Supporting Evidence:** On February 10, 2012, the undersigned officer conducted an unannounced home visit at the residence of Mr. Samples. Upon arrival at the residence, the undersigned officer was notified by another resident of the home, an Oxford House, that Mr. Samples was required to vacate the premises 3 days prior for failing to abide by the house rules.

The undersigned officer left a voice mail on Mr. Samples' cellular telephone, instructing him to contact this officer immediately. On February 13, 2012, a second voice mail was left for Mr. Samples instructing him to contact this officer immediately. As previously noted, following this second voice mail, Mr. Samples did report to the office and provided a temporary address.

- 4        **Standard Condition # 11:** The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.

**Supporting Evidence:** On March 19, 2012, the undersigned officer received a voice mail from Mr. Samples wherein he reported having been in an accident over the weekend and that he was going to the hospital due to injuries to his hand.

On March 20, 2012, a criminal records report was generated and reflected that on March 17, 2012, Mr. Samples was cited for hit a run unattended (N033480) as well as an infraction for no valid operator's license and second degree defective equipment (W015986). Accordingly, Mr. Samples failed to provide this information to the undersigned officer.

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The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 03/20/2012

s/M.D. Elvin

M.D. Elvin  
Deputy Chief U.S. Probation Officer

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### THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

3/21/12  
Date